

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

WP(C).No. 9858 of 2007(W)

PETITIONER:

**P.SELVAM, S/O.PERIYASWAMI,
D/NO.118. NETTI MEDU, OPP.KALAI KATHIR,
SELAM 2, TAMIL NADU.**

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:

- 1. THE COMMERCIAL TAX INSPECTOR,
COMMERCIAL TAX CHECK POST, WALAYAR.**
- 2. THE COMMERCIAL TAX OFFICER,
COMMERCIAL TAX CHECK POST, WALAYAR.**
- 3. THE INSPECTING ASST.COMMISSIONER,
COMMERCIAL TAX CHECK POST, WALAYAR.**
- 4. STATE OF KERALA, REPRESENTED BY
THE COMMISSIONER OF COMMERCIAL TAXES,
THIRUVANANTHAPURAM.**

BY SR.GOVERNMENT PLEADER SRI. MOHAMMED RAFIQ

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WPC.NO.9858/2007 W

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE DRIVING LICENSE.

EXT.P2: COPY OF THE BILL DATED 17/03/2007.

EXT.P3: COPY OF THE REPRESENTATION DTD. 20/03/2007.

EXT.P4: COPY OF THE REPRESENTATION DATED 20/03/07.

/TRUE COPY/

KSS

K.BALAKRISHNAN NAIR,J.

WP(C)NO.9858 OF 2007-W

Judgment

The petitioner is the Driver of a goods vehicle with Registration No.KA-01/AE-9955. He was transporting a consignment of 270 bags of rice from Karnataka to Mattancherry. He reached the Entry Check Post at Walayar and presented the documents for verification by the check post officials. They verified the documents and issued an exit pass to him. But, when he reached the barricade to cross it, it was found that the pass was missing. So, he filed Ext.P3 representation to issue a duplicate pass. But, he was informed by Ext.P4 communication that since he had not complied with certain requirements, exit pass cannot be issued. In the above background, this Writ Petition is filed, seeking a direction to release the goods and vehicle to enable him to transport the goods further, waiving the production of the exit pass. The learned Government Pleader upon instruction submitted that if the petitioner executes an indemnity bond and also conforms to the usual requirements in such cases, a duplicate exit pass will be issued to enable him to transport the goods. This submission is recorded. On production of a copy of this Judgment, the petitioner shall be informed the formalities, he has to comply with for getting a duplicate pass and

on complying with those formalities, the exit pass shall be issued to him without delay.

The Writ Petition is disposed of as above.

23.03.2007

K.BALAKRISHNAN NAIR,JUDGE

(Issue copy urgently)

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